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Sather, Crawford, Curry, and Abanico

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IVAN VERNARD CLEVELAND,

Plaintiff,

v.

BEN CURRY, Warden, et al.,

Defendants.

C 07-2809 JF (PR)

**DECLARATION OF P.
SANTIAGO IN SUPPORT OF
DEFENDANTS' REPLY
REGARDING THEIR
MOTION TO DISMISS**

I, P. SANTIAGO, declare as follows:

1. I am employed by the California Department of Corrections and Rehabilitation (CDCR) as an Appeals Coordinator at the California Training Facility (CTF). I have been employed for approximately twenty years by CDCR. My current job duties as an Appeals Coordinator include processing inmate grievances, assigning them to the appropriate staff, and monitoring and maintaining the computer database in the inmate-appeals office. I am competent to testify to the matters set forth in this declaration, and if called upon to do so, I would and could so testify. I submit this declaration in support of Defendants' reply regarding their motion

Decl. Santiago Supp. Defs.' Reply re Mot. Dismiss

Cleveland v. Curry, et al.
C 07-2809 JF (PR)

1 to dismiss.

2 2. CTF maintains a "Level I & II" Appeals Tracking System, which tracks each
3 individual inmate's administrative-grievance history for first and second level appeals filed at
4 CTF. This tracking system is regularly maintained and updated at or near the time an appeal
5 decision is rendered, in the normal course of business, by a person with knowledge of the
6 decision, or from communications transmitted by a person with such knowledge.

7 3. Where the "Level I & II" Appeals Tracking System printout shows, in the
8 "Disposition," that the appeal was "WITHDRAWN," this indicates that the inmate who filed the
9 grievance then voluntarily requested that it be withdrawn. Only the inmate can withdraw his
10 own grievance—neither staff nor other inmates have the authority to request withdrawal of a
11 grievance.

12 I declare under penalty of perjury that the foregoing is true and correct. Executed at
13 Soledad, California.

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16 5-13-08
Date


P. SANTIAGO

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